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18 **UNITED STATES DISTRICT COURT**
19 **NORTHERN DISTRICT OF CALIFORNIA**
20 **SAN FRANCISCO DIVISION**

21 *Aberin et al. v. American Honda Motor Co., Inc.*

22 No. 3:16-cv-04384-JST

23 **JOINT STIPULATION REGARDING
24 SCHEDULING SUBMITTED
25 PURSUANT TO AUGUST 24, 2017,
26 ORDER (D.E. 107)**

27 **Second Amended Complaint filed:
28 July 7, 2017**

Judge: Hon. Jon S. Tigar

29 Pursuant to this Court's August 24, 2017, Order (D.E. 107), Plaintiffs Lindsey and Jeff
30 Aberin, Don Awtry, Charles Burgess, Daniel Criner, Jared Croooks, Ron Alul, Mark Gerstle, John
31 Kelly, Yun-Fei Lou, Joy Matza, Jordan Moss, Donald Tran, and Melissa Yeung (collectively,
32

1 “Plaintiffs”), and Defendant American Honda Motor Co., Inc. (“AHM” and collectively with
2 Plaintiffs, the “Parties”), by and through their respective counsel, hereby submit this Joint Stipulation
3 Regarding Scheduling of (1) Defendant’s Motion to Dismiss Certain Counts in Plaintiffs’ Second
4 Amended Complaint, to Strike Certain Restitution Claims, and for Sanctions for Spoliation of
5 Evidence (“Motion to Dismiss”) (D.E. 105); and (2) a Case Management Conference.
6

- 7 1. On July 7, 2017, Plaintiffs filed their Second Amended Class Action Complaint
8 (“SACC”).
- 9 2. On July 12, 2017, the Parties stipulated to an extension of time allowing Defendant
10 until August 21, 2017 to respond to the SACC.
- 11 3. On August 21, 2017, Defendant filed its Motion to Dismiss Certain Counts in
12 Plaintiffs’ Second Amended Complaint, to Strike Certain Restitution Claims, and for
13 Sanctions for Spoliation of Evidence (“Motion to Dismiss”) (D.E. 105).
- 14 4. Plaintiff’s response to the Motion to Dismiss is currently due on September 5, 2017.
- 15 5. The Parties agree that Plaintiff shall have up until and including October 6, 2017 to
16 respond to the Motion to Dismiss.
- 17 6. The Parties agree that AHM shall have up until and including October 31, 2017 to
18 submit a reply in support of its Motion to Dismiss.
- 19 7. The Parties propose that the hearing on the Motion to Dismiss be rescheduled from
20 September 28, 2017 at 2:00 p.m. to November 16, 2017 at 2:00 p.m., or to another
21 date convenient to the Court.
- 22 8. The Parties proposed that a Case Management Conference be scheduled for
23 December 13, 2017 at 2:00 p.m., or to another date convenient to the Court.

1 9. The Parties shall file a Joint Case Management Conference Statement seven (7) Court
2 days prior to the Conference.

3 10. This stipulation and request is made in the interest of justice, not to delay the
4 proceedings, and will not prejudice any party. The requested extension will have no
5 impact on the schedule for the litigation.

7 DATED: September 5, 2017

8 Respectfully submitted,

9 *Attorneys for Defendant American Honda*
10 *Motor Company, Inc.*

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SIGNATURE ATTESTATION

I am the ECF User whose identification and password are being used to file the foregoing Stipulation. In compliance with Civil Local Rule 5.1, I hereby attest that the signatory has concurred in this filing.

Dated: September 5, 2017

By:/s/ Christopher A. Seeger

~~PROPOSED~~} ORDER

Pursuant to the above Stipulation, IT IS SO ORDERED.

DATED: September 5, 2017

Jon. S. Tigar
Hon. Jon S. Tigar